

FILED
Clerk
District Court

MAR 01 2021

for the Northern Mariana Islands
By 
(Deputy Clerk)

1
2 **IN THE UNITED STATES DISTRICT COURT**
3
4 **FOR THE NORTHERN MARIANA ISLANDS**

5 MILTON AL STEWART,
6 Acting Secretary of Labor,
7 United States Department of Labor,

8 Plaintiff,

9 vs.

10 IMPERIAL PACIFIC INTERNATIONAL
11 HOLDINGS, LTD., IMPERIAL PACIFIC
12 INTERNATIONAL (CNMI), LLC, and CUI
13 LI JIE, an individual,

14 Defendants.

Civil Case No. 1:19-cv-00007

ORDER

15 Before the Court is Plaintiff Acting Secretary of the U.S. Department of Labor Milton Al
16 Stewart (“Secretary Stewart”) Nomination of Receiver and Terms of Receivership against
17 Defendants Imperial Pacific International (CNMI), LLC (“IPI CNMI”), Imperial Pacific Holdings,
18 Ltd. (“IPI Holdings”), and Cui Li Jie (“Cui”) (collectively “Defendants”). (ECF No. 33.) The matter
19 came on for a hearing on March 1, 2021 at which point the Court discussed Secretary Stewart’s
20 nomination of Joyce Tang (“Tang”) from Civille & Tang, PLLC (“the Firm”) as a receiver. Appearing
21 for Secretary Stewart via VTC were Department of Labor Attorneys Boris Orlov and Charles Song;
22 appearing for IPI CNMI was Attorney Michael W. Dotts with CEO Ray Yumul; and appearing for
23 Cui was Attorney Juan Lizama. Tang also appeared via VTC. IPI Holdings did not appear through
counsel.

On January 28, 2021, the Court continued its original Order Finding Civil Contempt and Imposing a Stop-Work Order (ECF No. 19) until March 1, 2021. (Order Continuing Contempt Proceedings and Stop Work Order, ECF No. 27.) At this hearing, Defendants were ordered to remit \$1,182,793.00 owed in back wages to the U.S. Department of Labor under the 2019 Consent Judgment (ECF No. 2) by March 1, 2021, and were further ordered to deposit \$800,000.00 into an escrow account or registry to secure the future payment of wages for IPI employees by March 1, 2021. The Court indicated that it may proceed with the appointment of a receiver to begin liquidating Defendants' assets to fulfill payment of the 2019 Consent Judgment should Defendants fail to comply. Secretary Stewart filed his nomination of Tang as receiver on February 19, 2021, to which IPI CNMI filed a non-objection less than a week later. (ECF No. 25.) Cui's counsel, Juan Lizama, indicated at the March 1 hearing that Cui would not object to the nomination of Tang as receiver.

Defendants concede to proceed with a receivership in this matter. However, the Court acknowledges concerns regarding a potential expansion of the amount owed under the receivership as well as potential conflicts of interest in nominating Tang as a receiver. In particular, counsel for IPI CNMI represented that it would not be able to pay approximately \$600,000.00 in wages owed after entry of the 2019 Consent Judgment to workers who have been repatriated. Furthermore, IPI CNMI's counsel raised the potential legal issue of the CNMI's tax lien on its CNMI assets that may require more liquidation than originally contemplated. Finally, the undersigned disclosed her familial relationship to Dean Manglona, an associate attorney with the Firm. Tang responded to all these issues, including her plans to screen Dean Manglona from any work in this case, if selected as receiver. Due to these and other circumstances, the Court ORDERS the following:

1 (1) The parties shall submit any and all objections to Tang's nomination as receiver by
2 **Wednesday, March 3, 2021 at 3:00 p.m.;**
3 (2) Tang shall submit any amendments to Secretary Stewart's proposed terms of receivership
4 no later than **Wednesday, March 3, 2021 at 5:00 p.m.;**
5 (3) Defendants shall produce all relevant payroll information and supporting documents
6 pertaining to back wages owed after the 2019 Consent Judgment totaling approximately
7 \$600,000.00 by **Wednesday, March 3, 2021 at 5:00 p.m.** Should these documents need
8 to be redacted, Defendants may submit this information over the counter with the Clerk's
9 Office on the Third Floor. The Clerk's Office may electronically issue the documents to
10 all relevant parties including the Court, Secretary Stewart, and Tang, then annotate the
11 submission in the docket on this matter. Defendants shall file the redacted version
12 thereafter;
13 (4) Defendants shall prepare and produce a complete list of assets no later than **Wednesday,**
14 **March 3, 2021 at 5:00 p.m.;**
15 (5) **The stop-work order originally imposed on January 21, 2021 (ECF No. 19) shall**
16 **continue until further order by the Court.**

17 The matter is continued to **March 5, 2021 at 8:30 a.m. in the Third Floor Courtroom.**

18 IT IS SO ORDERED.
19

20 DATED this 1st day of March, 2021.

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23 RAMONA V. MANGLONA
24 Chief Judge